

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

517I0627

HOUSE BILL NO. 1210

Introduced by: Representatives Bradford, Elliott, Glenski, Hanson, Hundstad, Nesselhuf, and Sigdestad and Senators Moore and Kloucek

1 FOR AN ACT ENTITLED, An Act to allow for nursing facilities to be constructed on American
2 Indian reservations under certain circumstances.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Notwithstanding the provisions of §§ 34-12-35.3 and 34-12-39.1, new nursing facilities as
7 defined in § 34-12-1.1 may be constructed, operated, and maintained in an area if the facility is
8 to be located on an American Indian reservation and is required to serve a local population
9 previously unserved through lack of vacancies in facilities within a forty-five-mile radius. No
10 more than one such nursing facility may be located within the same American Indian reservation,
11 and the number of beds in the nursing facility may not exceed fifty. The nursing facility shall meet
12 the specifications of chapter 34-12 for a licensed nursing facility in order to participate in the
13 medicaid program.

